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F. #2003R00097

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

HURLEY, J.

UNITED STATES OF AMERICA

I N D I C T M E N T

BOYLE, M.

- against -

BRUCE WERNICK,
also known as "Bart,"
"Userfriendly," and "BJGuy,"

Cr. No. _____
(T. 18, U.S.C. §§
2252A(a)(2)(A), 2252A(a)(3),
2252A(a)(5)(B), 2252A(b)(1),
2252A(b)(2), 2253, 2422(b)
and 3551 et seq.)

Defendant.

THE GRAND JURY CHARGES:

COUNT ONE

1. On or about and between April 24, 2000 and September 28, 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," did knowingly and intentionally receive child pornography that had been transported in interstate commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1) and 3551 et seq.)

COUNT TWO

2. On or about and between April 24, 2000 and September 28, 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BRUCE

WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," did knowingly and intentionally distribute child pornography that had been transported in interstate commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1) and 3551 et seq.)

COUNT THREE

3. On or about and between April 24, 2000 and September 28, 2001, both dates being approximate and inclusive, within the Eastern District of New York, the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," did knowingly and intentionally reproduce child pornography for distribution in interstate commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(3), 2252A(b)(1) and 3551 et seq.)

COUNT FOUR

4. On or about and between April 24, 2000 and September 28, 2001, both dates being approximate and inclusive, within the Eastern District of New York, the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," did knowingly and intentionally possess materials containing images of child pornography that had been transported in interstate commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2) and 3551 et seq.)

COUNT FIVE

5. On or about and between December 1, 1999 and September 28, 2001, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," by using a facility of interstate commerce, did knowingly and intentionally persuade, induce and entice individuals who had not attained the age of 18 years to engage in sexual activity for which a person could be charged with a criminal offense, namely, Sodomy in the Third Degree under Section 130.40 of the New York Penal Code.

(Title 18, United States Code, Sections 2422(b) and 3551 et seq.)

FORFEITURE ALLEGATION

6. The allegations contained in paragraphs 1 through 5 of this Indictment are hereby realleged and incorporated as if fully set forth in this paragraph for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 2253.

7. Upon his conviction of any of the offenses charged in Counts One through Five of this Indictment, the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," shall forfeit to the United States the following properties: (a) any visual depiction described in 18 U.S.C. § 2252A, or any book,

magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of 18 U.S.C. § 2252A; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in Counts One through Five above; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of any of the offenses charged in Counts One through Five above.

8. The property to be forfeited by the defendant includes, but is not limited to, the following specific properties:

- a. One Compaq Laptop Computer with power supply;
- b. One Western Digital Hard Drive;
- c. One IBM Hard Drive;
- d. Two Generic Hard Drives;
- e. Two CPUs;
- f. Six zip disks;
- g. Forty-eight compact disks; and
- h. One-hundred-forty-seven floppy computer disks.

9. If, by any act or omission of the defendant BRUCE WERNICK, also known as "Bart," "Userfriendly," and "BJGuy," the property described in paragraphs 7 and 8 above, or any portion thereof:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property, which cannot be divided without difficulty;

the defendant shall forfeit substitute property, pursuant to Title 18, United States Code, Section 2253(o), up to the value of the property described in subparagraphs 9(a) through 9(e) above.

(Title 18, United States Code, Section 2253)

A TRUE BILL

Dean Kelly
FOREPERSON

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: *[Signature]*

**ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.131**

No. CR

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL *Division*

THE UNITED STATES OF AMERICA

vs.

BRUCE WERNICK,
also known as "Bart,"
"Userfriendly," and "BJGuy,"

Defendant.

INDICTMENT

(T. 18, U.S.C. §§ 2252A (a) (2) (A), 2252A (a) (3),
2252A (a) (5) (B), 2252A (b) (1),
2252A (b) (2). 2253, 2422 (b)
and 3551 et seq.)

A true bill.

Foreman

Filed in open court this ----- *day,*

of ----- *A.D. 19* -----

Clerk

Bail, \$ -----

AUSA RICHARD P. DONOGHUE (631)715-7874